

June 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAIN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

DA 10-267

David F. Stufft
Attorney for Appellant Grizzly
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FILED

JUN - 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAGRIZZLY SECURITY ARMORED
EXPRESS, INC.

Appellant,

vs.

THE ARMORED GROUP, LLC,

Appellee.

NOTICE OF APPEAL

NOTICE is given that Grizzly Security Armored Express, Inc., the Appellant, and who is the Plaintiff in that cause of action filed in the Eleventh Judicial District, in and for the County of Flathead, as Cause No. DV-08-1529(A), hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 5th day of May, 2010.


THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by M.R. App. P.7. If subject to mediation,

the money judgment being sought is not less than \$5,000.

2. That this appeal is not an appeal from an order certified as final under M.R. Civ.P.54 (b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."
3. That the notice required by M.R. App. P.27 has been or will be given within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. That the original available transcript of the proceedings in this cause was previously filed with the State of Montana Supreme Court in Supreme Court Cause No. DA 09-0233. The Appellant will be filing a Motion with the Court requesting the Montana State Supreme Court use the transcript from the previous appeal.
5. That included herewith is the filing fee prescribed by statute 3.

Dated: June 2, 2010.



David F. Stufft
Attorney for Appellant Grizzly
Security Armored Express, Inc.

CERTIFICATE OF MAILING

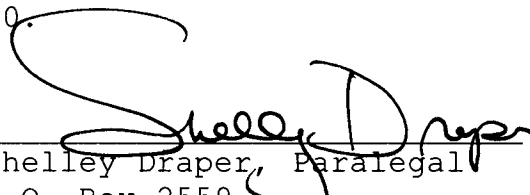
I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, each court reporter from whom a transcript will be ordered, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Peg Allison
Clerk of Court
Justice Center
920 South Main
Kalispell, MT 59901

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Bryce R. Floch
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Dated this 3rd day of June, 2010.


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